

PLANT PATENT APPLICATION (35 U.S.C. 161)

DECLARATION (37 C.F.R. 1.63)

As a below named inventor, I hereby declare that:

My residence, mailing address and citizenship are as stated below next to my name.

I believe I am the original and first inventor of the new and distinct variety of: *Sutera* plant named: Sutera Plant Named 'Sutharis' which is claimed and for which a plant patent is sought, the specification of which is attached hereto.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claim.

I have asexually reproduced the plant to which this application applies.

The said plant was located in a cultivated area

I acknowledge my duty to disclose all information which is material to patentability as defined in 37 C.F.R. §1.56, including continuation-in-part applications, material information which became available between the filing date of the prior application and the National or PCT International filing date of the continuation-in-part.

I hereby claim foreign priority benefits under 35 U.S.C. §119(a)-(d) or (f), or §365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

None

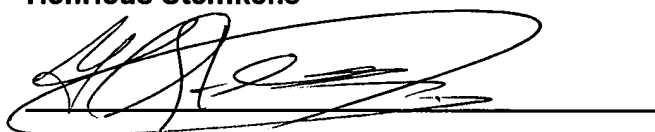
Please direct all correspondence to Customer Number 22847.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. §1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

SOLE INVENTOR:

Full name : **Henricus Stemkens**

Signature :



Date :

02.24.04

(MM/DD/YY)

Citizenship : Dutch

Residence : Tweeboomlaan 53
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The Netherlands

POWER OF ATTORNEY OR AUTHORIZATION OF AGENT

IN RE APPLICATION OF: STEMKENS

ART UNIT: Not Yet Assigned

APPLICATION NO: Not Yet Assigned

EXAMINER: Not Yet Assigned


FILED: Even Date Herewith

FOR: SUTERA PLANT NAMED 'SUTHARIS'

I hereby appoint the attorneys and agents associated with **Customer No. 22847**, respectively and individually, as my attorneys and agents, with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

Please address all communications to the address associated with **Customer No. 22847**.

Signed this 24th day of February, 2004 by


HENRICUS G.W. STEMKENS